COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: September 18, 2009

OFFICE CORRESPONDENCE FILE NO. FO2229257

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DETECTIVE [redacted] #[redacted]
DETECTIVE CARLOS E. LOPEZ #[redacted]
DETECTIVE EDUARDO F. AGUIRRE #[redacted]
DEPUTY RICK CARDOZA #[redacted]
DEPUTY LORRAINE ANDA #[redacted]
OPERATION SAFE STREETS BUREAU

On September 24, 2008, at approximately 1500 hours, Operation Safe Street Bureau (OSSB) deputies used force to overcome the resistance of Suspect Abel Rodriguez. The deputies were arresting Suspect Rodriguez for a murder which occurred on April 19, 2008. The suspect was treated for two fractures to his left rib cage and abrasions to his legs, face, back, and head at East Los Angeles Doctors Hospital.

East Los Angeles Station deputies and Gang Enforcement Team (GET) members assisted OSSB deputies with a containment of the suspect's location at [redacted]. During the containment, a vehicle pulled into the driveway of the residence. OSSB Detectives [redacted] and Carlos Lopez contacted the occupants of the vehicle. During this time, Suspect Rodriguez exited the rear of the residence holding a blue steel handgun. Suspect Rodriguez ran northbound between Bonnie Beach Place and South Record Avenue. Upon reaching [redacted] OSSB Detective Eddie Aguirre saw Suspect Rodriguez standing on a brick wall. Suspect Rodriguez appeared to be looking for another avenue of escape. East Los Angeles Sergeant Michael Ortiz gave Suspect Rodriguez verbal commands to show his hands and to give up. GET Deputy Rick Cardoza and OSSB Detective Aguirre could hear the verbal commands, but Suspect Rodriguez ignored all the verbal commands.

Detective Aguirre grabbed Suspect Rodriguez's shirt collar in an attempt to prevent him from fleeing. Detective Aguirre said that he conducted a takedown maneuver. Detective Aguirre and Suspect Rodriguez fell onto the roof of an aluminum storage shed, which was located at [redacted] South Bonnie Beach Place.

Detectives [redacted] Carlos Lopez, and Eddie Aguirre and Deputies Lorraine Anda and Rick Cardoza tried to subdue the suspect. Suspect Rodriguez continued to fight the deputies. The suspect placed his hands under his body, resisting their verbal commands to show his hands. The deputies used their personal weapons (hands, knees, kicks) to overcome the suspect's resistance and handcuffed him.

Deputy Cardoza punched the suspect in the face three times with his right fist. He punched the suspect's upper torso four times with his right fist. Deputy Cardoza also kneed the suspect's right upper torso twice. Detective Lopez punched the suspect's face and upper torso approximately seven times with his fist. Deputy Anda kicked the suspect's lower left torso once, dropped her right knee on the suspect's lower left abdomen, and applied pressure to the bottom of the suspect's legs in an attempt to restrain him. Detective [redacted] used pressure from his right knee to force the suspect's legs down.

Suspect Abel Rodriguez was treated at East Los Angeles Doctors Hospital by Dr. Khilfeh. Suspect Rodriguez sustained two fractures to his left rib cage and abrasions to his legs, face, back, and head.

Detective Carlos Lopez suffered a 3-inch cut on his right wrist, a half-inch cut on his left wrist, and he felt pain to his lower back. Deputy Rick Cardoza suffered a slightly swollen right hand and a slightly swollen right knee. Detective Eddie Aguirre suffered a small cut to his right hand, near his thumb, and another small cut to his right index finger.

Detective [redacted] recovered a blue steel semi-automatic handgun in the rear yard of [redacted] This is the same area Detective [redacted] saw the suspect running.

On September 10, 2009, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Detective [redacted] # [redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Detective Carlos E. Lopez # [redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Detective Eduardo F. Aguirre # [redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Deputy Rick Cardoza #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/025.00, Use of Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Lorraine Anda #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:YLW/ylw

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